

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
BENNETT *et al.*) Group Art Unit: 1644

)
Serial No.: 08/722,659) Examiner: M. Jamroz

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Filed: September 27, 1996)

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For: USE OF HEPARINASE TO DECREASE INFLAMMATORY RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

DECLARATION UNDER 37 C.F.R. § 1.132
OF RICHARD BROUGHTON

I, Richard Broughton, do hereby declare that:

1. I am a research scientist at BioMarin Pharmaceuticals in Montreal, Canada.
2. I am a joint inventor of the subject matter claimed in U.S. Patent No. 5,997,863 ("the '863 patent"), along with Joseph Zimmermann, Israel Vlodavsky, D. Clark Bennett, and Pamela Danagher.
3. I am informed and believe that the '863 patent has been cited against the claims of the above-identified application. In particular, I am informed and believe that Example 8 found at col. 17, line 63-col. 18, line 29 has been cited against the above-captioned application in a prior art rejection.
4. While I was a co-inventor, I did not make an inventive contribution to the subject matter recited in paragraph 3. In particular, I was not involved in the animal model work described in Example 8 involving the local administration of heparinase to enhance revascularization, described generally at col. 17, line 63-col. 18, line 29. It is my belief that, of

the named joint inventors of the '863 patent, Bennett and Danagher were the ones who contributed to the subject matter described in Example 8.

5. The undersigned declares further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing therefrom.

Signed at Montreal, Canada

this 1st day of August, 2002.



Richard Broughton